



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

May 29, 2020

BY ECF & ELECTRONIC MAIL

The Honorable Edgardo Ramos
United States District Judge
United States Courthouse
40 Foley Square
New York, NY 10007
ChambersNYSDRamos@nysd.uscourts.gov

Re: *Fernandez-Rodriguez et al. v. Licon-Vitale*, No. 20 Civ. 3315 (ER)

Dear Judge Ramos:

This Office represents respondent Marti Licon-Vitale, in her official capacity as Warden of the Metropolitan Correctional Center (“MCC”), with respect to the above-referenced petition for habeas corpus brought under 28 U.S.C. § 2241. We write respectfully to request certain procedural approvals with respect to respondent’s opposition to petitioners’ preliminary injunction, which will be filed later today. First, like petitioners, respondent anticipates filing certain declaration exhibits under seal that have been designated under the Protective Order in this case, and we request leave to do so. These documents include photographs of the MCC, medical records of inmates, and certain other sensitive MCC information. Second and relatedly, we ask that respondent be permitted to provide the unsealed versions of these documents to Chambers via email rather than in hard copy, particularly given COVID-related logistical limitations.

And third, we seek a page extension for respondent’s opposition brief to 45 pages. Petitioners have consented on the condition that they be given 20 pages for their reply brief, which is due on Monday; we consent to that request.

We thank the Court for its consideration of this letter.

The application is GRANTED. The respondent may file certain exhibits to its forthcoming opposition to the petitioner’s motion for a preliminary injunction under seal. She may provide a courtesy copy of the unsealed documents to Chambers via email.

The respondent is further allowed to submit a memorandum of law of no more than 45 pages. The petitioners may submit a reply of no more than 20 pages.

Respectfully,

GEOFFREY S. BERMAN
United States Attorney

By: s/Jean-David Barnea
JEAN-DAVID BARNEA
JESSICA JEAN HU
ALLISON ROVNER
Assistant United States Attorneys
Tel. (212) 637-2679/2726/2691


Edgardo Ramos, U.S.D.J.
Dated: May 29, 2020
New York, New York